THE MADRAS LEGISLATIVE COUNCIL

Tuesday, the 9th September 1958.

The House met in the Council Chamber, Fort St. George, at three of the clock, the Deputy Chairman (SRI A. M. ALLAPICHAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Construction of New Council Hall

*** 1 *Q*.**—SRI V. V. RAMASWAMI : Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether there is any proposal before the Government to construct a new Council Hall in the Secretariat buildings at Fort St. George; and

(*b*) if so, the stage at which the matter now stands?

THE HON. SRI C. SUBRAMANIAM : (*a*) Yes, Sir.

(*b*) Estimates and designs have been received from private architects through the Chief Engineer (General) and they are now under consideration.

SRI K. BALASUBRAMANYA AYYAR : Sir, may I know the estimated cost of the construction and the present stage of the proposal?

THE HON. SRI C. SUBRAMANIAM : Designs and estimates have been received and they are under consideration.

SRI T. PURUSHOTHAM : Sir, will the Members of this House be associated in the consideration of the designs and estimates relating to the construction of the new Council Hall?

THE HON. SRI C. SUBRAMANIAM : Certainly, Sir, some of the hon. Members of this House will be associated.

SRI T. PURUSHOTHAM : Will the Government kindly consider the urgency of this and see that provision is made in the next year's Budget for this purpose?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir, it will be made if and when a decision is taken to construct a new building. But the matter is still under consideration.

SRI V. V. RAMASWAMI : இந்தக் கட்டிட விஷயமாக இந்த சபையின் அங்கத்தினர்களைக் கலந்து ஆலோசனை செய்வதாக அமைச்சர் அவர்கள் சொன்னார்கள். இவ்விதம் ஆலோசனை செய்யும்பொழுது சில குறிப்பிட்ட அங்கத்தினர்களை மாத்திரம் தான் கலந்து ஆலோசனை செய்வார்களா அல்லது இந்த சபையிலுள்ள எல்லா அங்கத்தினர்களும் தங்களுடைய கருத்துக்களைத் தெரிவிப்பதற்கு சந்தர்ப்பம் அளிக்கப்படுமா ?

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THE HON. SRI C. SUBRAMANIAM : I do not consider, Sir, that the designs and estimates should be placed before the House and discussed here. But if any hon. Member is interested in the matter, he can see the designs and make suggestions.

SRI MOHAMED RAZA KHAN : Sir, may I know the approximate cost of the scheme?

THE HON. SRI C. SUBRAMANIAM : I do not now have the particulars with me, Sir.

SRI MOHAMED RAZA KHAN : May I know, Sir, how much the Government intend to spend on the construction of the new Hall?

THE HON. SRI C. SUBRAMANIAM : Whatever money is required will be spent. (Laughter.)

SRI T. P. SRINIVASAVARADAN : Will it be air-conditioned, Sir?

THE HON. SRI C. SUBRAMANIAM : I do not think that air-conditioning is necessary as far as Madras is concerned, because we have a temperate climate here.

SRI MOHAMED RAZA KHAN : Will the Government agree with me, Sir, that the decision to shift the Legislative Assembly from the Government House to Fort St. George has cost the Government of Madras a sum of Rs. 10 lakhs exclusive of the cost of the construction of the new Council Hall?

THE HON. SRI C. SUBRAMANIAM : How much we are going to spend on the construction of the new Council Hall will depend on the decision we take to construct the hall. I cannot, therefore, either affirm or deny the figure given by the hon. Member.

SRI V. V. RAMASWAMI : இந்தப் புதிய கட்டிடம் எத்தனை மாடிகள் உடையதாக இருக்கும், அதில் எந்த மாடியில் இந்த சபைக் கூட்டம் நடைபெறும் என்பதைச் சொல்ல முடியுமா ?

THE HON. SRI C. SUBRAMANIAM : முதலில் கட்டிடத்திற்கான டிஸைன் இப்பொழுதுதான் வந்திருக்கிறது. இன்னும் அதைப்பற்றி முடிவு செய்யப்படவில்லை. அதற்குள் கனம் அங்கத்தினர் அவர்கள் எந்த மாடியில் உட்காருவார்கள் என்று என்றால் சொல்ல முடியாது.

SRI MOHAMED RAZA KHAN : Will the Hon. the Minister for Finance kindly affirm that an expenditure of Rs. 10 lakhs has been incurred *minus* the proposed sum to be spent on the construction of the Council Hall?

THE HON. SRI C. SUBRAMANIAM : That is not correct, Sir.

SRI V. K. PALANISWAMY GOUNDER : இந்தப் புதிய கட்டிடம் கோட்டை ஸ்தலத்தில் எங்கு கட்டப்படும் என்பதைத் தெரிவிப்பார்களா ?

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THE HON. SRI C. SUBRAMANIAM : இப்போது காண்டீன் இருக்கும் இடத்தில் கட்டலாம் என்று உத்தேசிக்கப்பட்டிருக்கிறது.

DR. A. SREENIVASAN : ஐயா, இந்தக் கட்டிடத்தை இப்போதுள்ள இடத்திலிருந்து புதிதாகப் பெரிய கட்டிடத்திற்கு மாற்றவேண்டும் என்று சொல்வதனுல் பெரிய கட்டிடத்தில் இருந்தால் தான் இந்த சபையிலுள்ள அங்கத்தினர்களுக்கும் இந்த சபைக்கும் பெரிய கவுரவம் இருக்கும் என்று இந்த அரசாங்கம் நினைக்கின்றதா என்று கேட்கிறேன்.

THE HON. SRI C. SUBRAMANIAM : கனம் அங்கத்தினர் அவர்கள் எப்படி நினைக்கிருர்கள் என்று என்னுல் சொல்ல முடியாது. கனம் அங்கத்தினர் வேண்டுமானுல் அவ்விதம் நினைத்துக்கொண்டிருக்கலாம். அரசாங்கத்திற்கு அவ்விதமான எண்ணமும் கிடையாது. இந்த சபை நடவடிக்கைகள் வசதியாக நடப்பதற்கும், இந்த சபையிலுள்ள அங்கத்தினர்கள் வசதியாக உட்காருவதற்கும், மற்றவர்கள் வந்து இந்த சபை நடவடிக்கைகளைப் பார்ப்பதற்கும் சௌகரியமாக இருக்கவேண்டும் என்று நினைத்துத்தான் வேறு கட்டிடம் கட்டவேண்டும் என்று தீர்மானிக்கப்பட்டிருக்கிறது.

DR. A. SREENIVASAN : இப்போதுள்ள கட்டிடம் மிக அசௌகரியமாக இருக்கிறது, அல்லது இடம் போதவில்லை என்று யாராவது புகார் அனுப்பியிருக்கிருர்களா ? இப்போதுள்ள இடமே சௌகரியமாக இருக்கிறது என்பது என் போன்றவர்களின் அபிப்பிராயம். இவ்விதம்மிருக்கும்போது வேறு இடத்திற்கு மாற்றுவதின் காரணம் என்ன ?

THE HON. SRI C. SUBRAMANIAM : கனம் அங்கத்தினர் அவர்கள் சொல்லுகிற கருத்து இந்த சபையிலுள்ள எல்லா அங்கத்தினர்களின் கருத்து என்றிருக்குமானுல், வேறு இடத்திற்கு மாற்றுவதை நிறுத்திவிடலாம்.

SRI V. V. RAMASWAMI : கவர்னர் அவர்கள், அசெம்பிளீ ஸ்பீக்கர் அவர்கள் முதலியோர் வந்திருந்து இந்த சபை நடவடிக்கைகளைப் பார்வையிடுவதற்கு சௌகரியமில்லை என்பது உண்மைதானு ?

THE HON. SRI C. SUBRAMANIAM : அஸெம்பிளி ஸ்பீக்கர் இங்கு வர விரும்பியதாக எனக்குத் தெரியவில்லை.

VIDWAN T. MUTHUKANNAPPAN : இப்போதிருக்கும் அந்தக் கட்டிடத்தை (canteen building) இடித்துக் கட்டப்போகிருர்களா ?

THE HON. SRI C. SUBRAMANIAM : ஆம்.

Police firing in front of the Harbour on 16th June 1958

* 2 Q.—SRI S. T. ADITYAN : Will the Hon. the Minister for Home be pleased to state—

(a) the number of workers who went on strike in the recent Port and Dock Workers' strike at Madras;

(b) the number of rounds fired by the Police during the disturbances in front of the Harbour on 16th June 1958;

(c) the number of persons killed and injured;

(d) whether any claims for compensation have been preferred in respect of persons killed and injured; and

(e) if so, the action taken thereon?

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THE HON. SRI M. BHAKTAVATSALAM : (*a*) About twelve thousand.

(*b*) Twenty.

(*c*) Six persons lost their lives and twenty persons received gun shot injuries.

(*d*) & (*e*) No, Sir.

SRI S. T. ADITYAN : இந்தமாதிரிச் சுடுவதற்கு முன்னால் அதைத் தடுப்பதற்கு அரசாங்கம் என்னென்ன முயற்சிகள் எடுத்துக் கொண்டது ?

THE HON. SRI M. BHAKTAVATSALAM : சுடுவது என்பது கடைசி முறையாகும். அதற்கு முன் லத்தி சார்ஜ், டியர் காஸ் முதலியவைகள் பிரயோகிக்கப்படும். அவைகளாலும் பயனின்றி கூட்டத்தினர் மேற்கொண்டு பலாத்காரத்தில் ஈடுபட்டுக்கொண்டிருந்தால் வேறு வழியில்லாமையினால் சுடுவதைப் பிரயோகிக்கிறார்கள்.

DR. V. K. JOHN : Do the Government propose to publish the report of the Investigation Officer?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the Government have been examining the question whether the report may be published because the question of *sub judice* is there.

SRI MOHAMED RAZA KHAN : Sir, why was not a judicial officer appointed to investigate into this matter?

THE HON. SRI M. BHAKTAVATSALAM : I may inform the hon. Member that the Chief Presidency Magistrate is also a judicial officer.

SRI MOHAMED RAZA KHAN : May I make it clear that for such serious things, it has always been the practice for the Government to appoint a Judge of the High Court to enquire into the matter? Though I do not want to cast any aspersion on the Chief Presidency Magistrate, may I know why in this particular case, the Chief Presidency Magistrate was appointed as the Enquiring Officer?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the Government do not consider that only Judges of the High Court are judicial officers.

DR. A. SREENIVASAN : ஹார்பர் கலவரத்தில் "டியர்காஸ்" உபயோகிக்கப்பட்டதாக மந்திரி அவர்கள் சொன்னார்கள். இதில் "டியர் காஸ்" உபயோகித்ததின் முடிவு என்னவாக இருந்தது ? அதன் பின் சுடவேண்டிய நிலைமை என் ஏற்பட்டது ?

THE HON. SRI M. BHAKTAVATSALAM : வேறு வழிகள் ஒன்றும் இல்லாததினால் சுடவேண்டிய நிலைமை ஏற்பட்டது.

DR. A. SREENIVASAN : முதுகுளத்தூர் கலவரத்தின்போது கலவரம் அதிகமாய் போய்விட்டதினால்தான் "டியர் காஸ்" சரியான முறையில் உபயோகிக்க முடியவில்லை என்று இதற்கு முன்னால் மந்திரி அவர்கள் சொல்லியிருக்கிறார்கள். இப்போது ஹார்பர் கலவரத்தின்போது "டியர்காஸ்" சரியாக உபயோகித்திருந்தால் சுடவேண்டிய நிலைமை ஏற்பட்டிருக்காது அல்லவா ?

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The Hon. Sri M. BHAKTAVATSALAM : "டியர்காஸ்" உபயோகித்துப் பார்த்து அதனால் பலன் இல்லை என்று கண்ட பிறகுதான் சுடப்பட்டது.

Sri MOHAMED RAZA KHAN : Sir, is it not a fact that all the excitement was caused because hired labourers were being taken from various places to the Harbour even in the presence of the persons who were on strike and that this sorry episode could not have happened had the Government not resorted to such an avoidable thing?

The Hon. Sri M. BHAKTAVATSALAM : I may tell the hon. Member that no avoidable thing was resorted to.

Dr. A. SREENIVASAN : இப்போது நடந்து கொண்டிருப்பதைப் பார்த்தால் இந்த கவர்ன்மெண்டுக்கு இரண்டு ஸ்டாண்டர்டுகள் இருப்பதாகத் தெரிகிறது. கவர்ன்மெண்ட் சம்பந்தப்பட்ட ஸ்ட்ரைக்குகளில் ஒரு விதமாகவும் பிரைவேட் முதலாளிகள் சம்பந்தப்பட்ட ஸ்ட்ரைக்குகளில் வேறொரு விதமாகவும் சர்க்கார் நடந்துகொள்கிறது. இவ்விதம் சர்க்கார் தங்களுக்கு வேண்டிய இடத்தில் ஒரு விதமாகவும் தனிப்பட்ட முதலாளிகள் சம்பந்தப்பட்ட இடத்தில் வேறொரு விதமாகவும் நடந்துகொள்வது என்று இரண்டு ஸ்டாண்டர்டுகள் இருப்பதாகத் தெரிகிறது ? இது உண்மைதானா ?

The Hon. Sri M. BHAKTAVATSALAM : அரசாங்கத்திற்கு அவ்விதம் ஒன்றும் கிடையாது. கனம் அங்கத்தினர் அவர்களுக்கு வேண்டுமானால் அந்தவிதமான அபிப்பிராயம் இருக்கலாம்.

DEPUTY CHAIRMAN : Next question.

Sri MOHAMED RAZA KHAN : A few hon. Members want to ask a few more questions, Sir.

DEPUTY CHAIRMAN : All right.

Sri S. T. ADITYAN : ஏற்கெனவே ஸ்ட்ரைக் ஏற்படப்போகிறது என்றும் அதோடு இம்மாதிரிக் கலவரங்களும் ஏற்படும் என்றும் தெரிந்தும், அது சம்பந்தமாக ஆரம்பத்திலிருந்தே இந்த சர்க்கார் என்ன நடவடிக்கை எடுத்தார்கள் ? 3-10 p.m.

The Hon. Sri M. BHAKTAVATSALAM : இந்தமாதிரி ஒரு நிலைமை ஏற்படும் என்று அன்று காலை வரை தெரியாது. அதற்கு முன் தினம் மாலையில் நான் இதைப்பற்றி விசாரணை செய்யும்போது இந்த விதமாக நடக்கும் என்று யாரும் எதிர்பார்க்கவில்லை. திடீரென்று அன்று காலையில் தான் இந்த சம்பவம் ஏற்பட்டது.

Sri S. T. ADITYAN : இந்தியாவிலே மற்றப் பகுதிகளில் இரண்டொரு இடங்களில் இந்தமாதிரியான சம்பவங்கள் நடந்தது சர்க்காருக்குத் தெரியுமல்லவா ? அது எத்தனை நாட்களுக்கு முன்பு தெரியும் ?

The Hon. Sri M. BHAKTAVATSALAM : ஒரு குறிப்பிட்ட சம்பவத்தைப்பற்றிக் கேட்டால் விவரம் கொடுக்க முடியும். அதை விட்டுப் பொதுவாகக் கேட்டால் எப்படி பதில் சொல்ல முடியும் ?

Sri S. T. ADITYAN : மற்ற ஹார்பர்களிலே, கல்கத்தா, பம்பாய் போன்ற ஹார்பர்களிலே, இது போன்ற குமுறல்கள், இடி முழக்கங்கள் இருந்தனவல்லவா ? அது சர்க்காருக்குத் தெரியுமா, தெரியாதா ?

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THE HON. SRI M. BHAKTAVATSALAM : வேலை நிறுத்த நோட்டீஸைத் தவிர, வேறு குமுறல் ஒன்றும் இல்லை. நான் இதற்கு முன்பே சொன்னபடி, இந்த ஹார்பர் நிலைமையைப்பற்றி அதற்கு முன் தினம்தான் விசாரித்தேன். அப்போது ஒருவரும் இதை எதிர்பார்க்கவில்லை.

SRI MOHAMED RAZA KHAN : May I know whether it is not a fact that the Government of Madras had blundered completely in allowing hired labour to be taken to the Harbour premises in their buses which itself was the cause for the excitement on the part of the labourers? Could they not have waited for a few more days as it had happened in the case of the Bombay Port and the Calcutta Port?

THE HON. SRI M. BHAKTAVATSALAM : I may again tell the hon. Member that it is his own superior opinion. But the Government do not accept it at all.

DR. A. SREENIVASAN : ஐயா, "பிளாக் லெக்ஸ்" ரெக்ரூட் பண்ணுவது கவர்ண்மெண்ட் சம்பந்தப்பட்ட சர்ச்சைகளில் மட்டும் தானா? பாக்கி கேபிடலிஸ்ட்ஸ், லேபர் டிரபிள்களில் கூட "பிளாக் லெக்ஸ்" ரெக்ரூட் பண்ணுவது லீகல் என்ற அபிப்பிராயம் உண்டா?

THE HON. SRI M. BHAKTAVATSALAM : இதிலே "பிளாக் லெக்ஸ்" என்று சொல்லிவிட்டால் போதாது. முக்கியமான சேவைகள் தொடர்ந்து நடத்தப்பட வேண்டும். ஹார்பரிலே உணவு தானியங்கள் கப்பல்களில் வந்து காத்துக்கொண்டிருந்தன. அவைகளை இறக்க வேண்டியிருந்தது. தொழிலாளிகள் அவைகளை இறக்கத் தயாராக இல்லாததால் அதற்கு வேண்டிய ஏற்பாடுகள் செய்யப்பட்டன.

DR. A. SREENIVASAN : மிலிட்டரி, போலீஸ் இவைகளை வைத்துக்கொண்டு இறக்குமதி செய்வதற்கென்ன? பாக்கி வேலைகளுக்கெல்லாம் போலீஸையும், ராணுவத்தையும் கவர்ண்மெண்ட் உபயோகிக்கும்போது, இதற்குப் போலீஸையோ அல்லது ராணுவத்தையோ உபயோகித்திருந்தால் இந்த நிலைமை ஏற்பட்டிருக்காது என்பதை அரசாங்கம் உணருகிறதா?

THE HON. SRI M. BHAKTAVATSALAM : இந்த வேலையைச் செய்ய மிலிட்டரியை உபயோகிக்கலாம் என்று கனம் அங்கத்தினர் சொல்லும் அபிப்பிராயத்தைக் கேட்டால், அவருக்கு எப்போது இந்த ஞானோதயம் ஏற்பட்டது என்று தெரியவில்லை, அவருக்கு இப்போது புதிய ஞானோதயம் ஏற்பட்டிருக்கிறது என்று நினைக்கிறேன்.

DR. A. SREENIVASAN : கவர்ண்மெண்டுக்குத் தான் ஞானோதயம் ஏற்பட வேண்டும் என்பது என்னுடைய அபிப்பிராயம். எனக்கு ஒன்றும் புதிதாக ஞானோதயம் ஏற்படவில்லை. டில்லியிலே வாட்டர் சப்ளை 'பிரேக்டௌண்' ஏற்பட்டபோது, மிலிட்டரியைக் கொண்டு வந்தது கனம் மந்திரி அவர்களுக்குத் தெரிந்திருக்கலாம். இந்தச் சாதாரண விஷயத்தில் மிலிட்டரியை உபயோகிக்கும்போது, 'லேபர் டிரபில்' என்றால் அங்கே மிலிட்டரியை உபயோகிப்பது தப்பான காரியம் என்று எனக்குத் தோன்றவில்லை.

THE HON. SRI M. BHAKTAVATSALAM : அரசாங்கம் அவசியம் என்று கருதுகிற சமயங்களில்தான் மிலிட்டரியை உபயோகிக்கும்.

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Seamen's Hostel

* 3 *Q.*—SRI MOHAMED RAZA KHAN : Will the Hon. the Minister for Revenue be pleased to state—

(*a*) whether there is any proposal before the Government to transfer the land on the foreshore opposite to the Reserve Bank Buildings under construction in Madras, to the Naval Department for construction of a Seamen's Hostel;

(*b*) if so, on what terms and conditions; and

(*c*) whether any objection has been raised by the City Improvement Trust in this regard?

THE HON. SRI M. A. MANICKAVELU : (*a*) & (*b*) This Government have leased to the Government of India an extent of about 35 grounds of foreshore lands opposite to the Reserve Bank buildings, under construction for a period of 30 years for construction of a Seamen's Hostel. The terms and conditions of the lease are pending finalization.

(*c*) Yes, Sir. The objection was considered by the Government and met before passing orders.

SRI MOHAMED RAZA KHAN : Am I to understand that a pucca building will be put up on the land given by the Madras Government and that the Central Government have to vacate the premises after a period of thirty years?

THE HON. SRI M. A. MANICKAVELU : The Government have leased a piece of land to the Government of India. Now, certain conditions have to be fulfilled and that matter is under consideration.

SRI K. BALASUBRAMANYA AYYAR : Is it not necessary that before construction of buildings, due attention should be paid to the development of the railway level-crossing there? (The hon. Member was pointing to the southern direction.)

DEPUTY CHAIRMAN : The hon. Member is pointing to the wrong direction.

THE HON. SRI M. A. MANICKAVELU : This has no very close connection with the question of railway level crossing. It is further away from the place where the Seamen's Hostel will be put up.

SRI T. P. SRINIVASAVARADAN : Is there any proposal to convert the foreshore into a playground or will they stop with the construction of the present building?

THE HON. SRI M. A. MANICKAVELU : There is no scope to construct a few more buildings, even if the hon. Member wants.

SRI T. P. SRINIVASAVARADAN : May I know whether the Government have any plan at all to convert the foreshore south of the Napier's bridge into a playground or whether they will leave it as it is for the children to play?

THE HON. SRI M. A. MANICKAVELU : That part of the foreshore is being beautified. It will be made attractive.

Public display of fireworks during festivals and marriage processions

* 4 *Q.*—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Home be pleased to state—

(*a*) whether there is any ban imposed on the public display of fireworks during festivals in temples and marriage processions in Madras City and in mufassal areas; and

(*b*) if so, the kinds of fireworks the use of which has been banned and the circumstances in which such ban has ben imposed and when?

THE HON. SRI M. BHAKTAVATSALAM : (*a*) No, Sir.

(*b*) The question does not arise in view of the answer to clause (*a*) above.

SRI T. PURUSHOTHAM : Are we to presume that there are no restrictions now on the use of fireworks during temple festivals and marriage processions?

THE HON. SRI M. BHAKTAVATSALAM : That is the information I have. Perhaps they have to take out a licence.

SRI T. PURUSHOTHAM : Will the Government consider the question, as a special case, of permitting the use of fireworks in the case of temple festivals at least, barring, if need be, the rackets, etc., which are found to be dangerous?

THE HON. SRI M. BHAKTAVATSALAM : The information I have is that no ban is imposed on the public display of fireworks during temple festivals and marriage processions either in the Madras City or in the mufassal areas.

DR. A. SREENIVASAN : ஐயா, கவர்ண்மென்ட் இந்த பைர்வொர்க்ஸ் அதிர்வேட்டு போடுவது இவைகளை நிறுத்த ஏற்பாடு செய்வார்களா? அத்துடன் ஆகம சாஸ்திரத்திற்கும் இந்த அதிர்வேட்டுக்கும் சம்பந்தம் இருப்பதாகத் தெரிய வில்லை.

DEPUTY CHAIRMAN : This is only a statement and not a question.

DR. A. SREENIVASAN : அப்படி ஏதாவது இருக்கிறது என்று கனம் மந்திரி அவர்களுக்குத் தெரிந்தால் அதைச் சொல்வார்களா?

THE HON. SRI M. BHAKTAVATSALAM : கனம் அங்கத்தினர் குறிப்பிட்ட ஒரு யோசனையைத் தெரிவித்தால், அதையும் அரசாங்கம் பரிசீலிக்கும்.

VIDWAN T. MUTHUKANNAPPAN : நடப்பு ஆண்டில் இந்த வாண வேடிக்கைகள், அதிர்வேட்டுகள் இவைகளின் காரணமாக எவ்வளவு உயிர்ச் சேதம் ஏற்பட்டிருக்கிறது? எவ்வளவு சொத்து நஷ்டம் ஏற்பட்டிருக்கிறது?

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THE HON. SRI M. BHAKTAVATSALAM : அதைப்பற்றிய தகவல் என்னிடம் இப்போது இல்லை. இதனால் பெருத்த உயிர்ச்சேதம் வந்து விட்டது என்று நினைப்பது தவறு. ஆங்காங்கு வேறு ஒரு சில சம்பவங்கள் நடக்கலாம். வாண வேடிக்கை என்பது ஒரு விளையாட்டு. நாம் எல்லோரும் விளையாட்டை விரும்புகிறோம். இதைப்பற்றிப் பிரமாதமாக நினைத்துக்கொள்ளவேண்டாமென்று நான் நினைக்கிறேன்.

Irrataikulam Anicut Scheme

* 5 *Q.*—SRI S. P. SIVASUBRAMANYA NADAR (on behalf of Sri K. T. Kosalram) : Will the Hon. the Minister for Home be pleased to state—

(*a*) whether the work on the Irrataikulam Anicut Scheme in Tenkasi taluk has been taken up for execution and if so, when; and

(*b*) whether the work has been completed and if not, the reasons for the delay?

THE HON. SRI M. BHAKTAVATSALAM : (*a*) No, Sir. The scheme has not yet been sanctioned by the Government.

(*b*) Does not arise.

I have since had the information that the sanction of the scheme is being taken up in consultation with the various departments.

SRI S. T. ADITYAN : அந்த ஸ்கீமை எடுத்துக்கொண்டிருப்பதாகச், சொன்னார்கள். ஆனால் அது எந்த நிலைமையில் இருக்கிறது, யார் ரெக்கமண்ட் பண்ணியிருக்கிறார்கள், டிபார்ட்டுமெண்டுக்கு வந்து விட்டதா, எவ்வளவு தொகை செலவாகும் என்ற டீடெயில்ஸ் சொல்ல முடியுமா?

THE HON. SRI M. BHAKTAVATSALAM : இது ஒரு அணைக் கட்டுத் திட்டம். அனுமா நதியில் அணை கட்டி சப்ளை சேனல் அமைப்பது பற்றியது. இதற்கு மொத்தத்தில் ரூபாய் 2,11,268 செலவாகும். அணைக் கட்டுக்கு மட்டும் ரூபாய் 1,63,000 செலவாகும். 'புட் ப்ரொடக்ஷன்' இலாகாவில் இதனால் ஏற்படும் பலன் என்ன, செலவு நியாயமான செலவு தானா என்பதைப்பற்றிய பரிசீலனை செய்யப்பட்டு வருகிறது. சீக்கிரம் எடுத்துக்கொள்ளப் பரிசீலனை செய்யப்பட்டு வருகிறது என்று சொன்னேன்.

DEPUTY CHAIRMAN : Questions are over.

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II—POINTS OF INFORMATION.

(1)—ARRANGEMENTS MADE FOR TRANSACTION OF WORK DURING THE ABSENCE OUT OF INDIA OF THE LEADER OF THE HOUSE.

SRI V. V. RAMASWAMI : துணைத் தலைவர் அவர்களே, ஒரு தகவல் தெரிந்துகொள்ள விரும்புகிறேன். சபையின் முதல்வர், திரு வாளர் வெங்கடராமன் அவர்கள் வெளிநாடு செல்லப்போவதாகத் தெரிகிறது. அவர் எப்போது போகக் கூடும்? எப்போது திரும்பி வரக் கூடும்? அவர் போய்த் திரும்பி வரும் வரையில் சபையின் முதல்வர் பொறுப்பை ஏற்று நடத்த என்ன ஏற்பாடுகள் செய்யப்படும் என்று அறிய விரும்பு

கிறேன். அதற்கிடையே, விற்பனை வரி மசோதா இப்போது பொறுக்குக் குழுவின் பரிசீலனையில் இருப்பதால், அது எப்போது எடுத்துக்கொள்ளப் படும் என்பதையும் அறிய விரும்புகிறேன்.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, certainly the Chief Minister will make the necessary arrangements, for the interim period.

(2) WATCH AND WARD STAFF OF THE COUNCIL.

3–20 p.m. SRI V. V. RAMASWAMI : இப்பொழுது இந்த சபைக்குக் காவலாக ஏதோ ஒரு படை போடப்பட்டிருப்பதாகத் தெரிகிறது. நேற்று சபைக்கு வரும் பொழுது, அநேகம் பேர் குல்லா வைத்திருப்பதைப் பார்த்தேன். மைசூர் சபையில் இருப்பவர்களைப் போல இருந்தது. (சிரிப்பு.) குல்லாப் போடுகிறவர்களை நல்ல குல்லாவாகப் போடச் செய்து, பார்வையாக இருக்கும் படி செய்யக்கூடாதா? (நீடித்த சிரிப்பு.)

III.—ADJOURNMENT MOTIONS.

(1) STRIKE BY THE WORKERS OF 'THE HINDU'.

DEPUTY CHAIRMAN : I have received notice of a motion under rule 42 of the Council Rules from Dr. V. K. John for the adjournment of the business of the Council to discuss a definite matter of urgent public importance, namely, the failure of the State Government to preserve law and order and to give sufficient protection not only to the management of 'The Hindu' but also to workers who wanted to work in the office of 'The Hindu' during the strike by a minor section of workers from 31st July to 5th August 1958.

I am satisfied that the motion referred to is a definite matter of public importance. Before I rule the motion either in order or not in order, I request Dr. V. K. John to state how the matter involves more than the ordinary administration of law and order and how it is urgent.

SRI S. T. ADITYAN : Sir, I have also sent in notice of a similar motion. Has it reached you or not, Sir?

DEPUTY CHAIRMAN : I have not received it.

* DR. V. K. JOHN : Sir, I am very much obliged to you for giving me your consent to make this motion.

THE HON. SRI C. SUBRAMANIAM : No, no. He wants to know how it is urgent.

THE HON. SRI M. BHAKTAVATSALAM : He admits that it is of public importance.

* DR. V. K. JOHN : Under the rules, I must obtain your consent to ask the leave of the House to make the motion, and I take it you have acted under the rules and you have given me consent to ask the leave of the House to make the motion.

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THE HON. SRI C. SUBRAMANIAM : No, no. He wants you to make out a case how it is urgent.

* DR. V. K. JOHN : Sir, you have given me consent to ask the leave of the House to make the motion, and I make the motion under rule 44. If you hold that the motion is not in order, you may state the reason. The normal procedure contemplated by the rules is for the Chairman to give his permission to make the motion. Then there is the next stage of making the motion. Then there is the third stage of your ruling whether the motion is in order or not. I take it that under the rules, when you have called me to make the motion, you have given me your consent to make the motion, and for this, Sir, I thank you.

THE HON. SRI R. VENKATARAMAN : No, no, Mr. Deputy Chairman. Before a motion of this kind is admitted for the purpose of discussion, the Chair is to be satisfied (1) that it is urgent, (2) that it is a matter of public importance, and (3) that it involves the exercise of any powers outside the normal administrative routine. The hon. the Deputy Leader of the Opposition has to make out a case that it is anything like the exercise of powers outside the normal routine administration.

DEPUTY CHAIRMAN : That is correct.

* DR. V. K. JOHN : Let us clarify the position. What does the rule say? The Hon. the Leader of the House must be requested to read the rules once again.

THE HON. SRI C. SUBRAMANIAM : That is what I would like Dr. John to do.

* DR. V. K. JOHN : I will read out the rule for the benefit of the House. (The Hon. Sri C. Subramaniam : For your own benefit.) I am much obliged to you. Sir, rule 42 says—

'A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made in accordance with the rules in this Chapter.'

Rule 43 says—

'A member desirous of moving a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting of the Council at which he proposes to ask for leave of the House to make his motion, hand to the Chairman a statement in writing of the matter proposed to be discussed, and obtain his consent to his asking for leave to make the motion.'

Rule 43 says that I must hand over a statement to the Chairman (which I have done), and obtain his consent. For what purpose? I must obtain his consent for asking leave to make the motion. Now, if he gave me consent, . . .

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THE HON. SRI C. SUBRAMANIAM : No, no.

* DR. V. K. JOHN : There is no intermediary stage. If he gives his consent, I ask the leave of the House to make the motion. Then, what happens? Rule 44 says, 'If the Chairman gives consent under rule 43, the member may, after questions and before the further business set down in the list of business for the day is entered upon, ask the leave of the House to make the motion.' There is no provision for the Chairman to ask me to explain before he gives his consent. Then rule 45 says, 'The Chairman will then read the statement referred to in rule 43 to the House and decide whether the matter proposed to be discussed is or is not in order.' After I make the motion, if the Chairman holds that the motion is not in order, he may state the reasons for his opinion. Rule 50 mentions various grounds on which the Chairman can disallow a motion.

DEPUTY CHAIRMAN : Please read rule 47 also.

* DR. V. K. JOHN : Rule 47 says—

'If the Chairman is of opinion that the matter proposed to be discussed is in order, he shall ask whether the member has the leave of the House. If objection is taken by any member, the Chairman shall request those members who support the motion to rise in their places. If ten or more members rise accordingly, the Chairman shall intimate that the member has the leave of the House. If less than ten members rise, the Chairman shall inform the member that he has not the leave of the House.'

Rule 48 says—

'If leave of the House has been given for making the motion, the Chairman shall intimate to the House that the motion will be taken up at such hour on the same day or at such hour on any other day as may be fixed by him in consultation with the Leader of the House'.

Then, rule 50 mentions the grounds on which the Chairman may reject a motion. One reason is that it is a matter of day-to-day administration. Another is that the matter is not urgent. Various stages for the adjournment motion must be studied. The Hon. Sri C. Subramaniam is now satisfied with the present stage, unless it is too difficult for him to understand. The present stage is that you give me consent to make the motion. In the consent stage you ask me to make the motion. Then I explain. There is no other stage. I make the motion with a short speech. You decide whether the motion is in order. After hearing me, you say 'I rule out the motion' under one or the other of the many grounds mentioned in rule 50.

DEPUTY CHAIRMAN : After hearing the hon. Member and the Leader of the House, I shall decide whether the motion is in order or not.

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* DR. V. K. JOHN : In the present stage you have kindly given me your consent to make the motion in the House. (Interruptions.) I ask for leave of the House to make the motion, and that is the present stage. You may or may not view that it is in order. You will ask Members who support this motion to stand up. The present stage at which I am on my legs is that I have your consent to ask the leave of the House to make the motion. After my explaining the rules, I hope Hon. Members on the Treasury Bench will be kind enough to read and digest the rules and not take up the time of the House by obstructing the motion.

DEPUTY CHAIRMAN : The hon. Member has got consent to make out a case how the motion is in order.

* DR. V. K. JOHN : With great respect to you, Sir, I say that I need not make out a case. I ask for leave to make the motion, and in that process I must, of course, make out a case. Let us study the language of the rules. Where is the provision in the rules for making out a case? I ask the leave of the House to make the motion. It is for you to say whether it is in order or not in order. Leave cannot be had if ten Members do not stand in support of the motion. If ten Members stand in support of the motion, then you can fix the time for discussion.

DR. A. SREENIVASAN : ஏன், ' other side '-ல் இருக்கிறவர்கள் எழுந்திருக்கக்கூடாதோ ?

* DR. V. K. JOHN : It is not expected, Sir.

DR. A. SREENIVASAN : Occasionally you can expect it.

* DR. V. K. JOHN : You are more optimistic than I.

Sir, I now thank you for giving me your consent to ask the leave of the House for making this motion. The matter referred to is very well-known. I do not think in recent years there is any occurrence which has discredited the Government of Madras to the extent it has done in the case of ' The Hindu '. What are the facts? The facts are very simple. ' The Hindu ' employees a few thousands of workers, the majority of whom are skilled and the minority unskilled. A few of the unskilled workers forced a strike in ' The Hindu '. The majority of the workers wanted to carry on the work and particularly if the skilled workers and the field workers had been allowed to carry on the work, ' The Hindu ' would have been able to publish its paper without break. It is a paper, which I am sure every Member of this House must have been reading for years. I myself have been reading it for over forty years. We are proud of that paper, its status, its quality and everyone of us . . .

THE HON. SRI C. SUBRAMANIAM : With great respect to the hon. the Deputy Leader of the Opposition, I may state that at this stage, we need not go into the merits of the case at all. Sir, as you have rightly wanted to satisfy yourself, what we have to consider now is this. According to item (viii) of rule 50, we must 3-30 p.m.

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know how the matter to be discussed involves more than the ordinary administration of the law. It was in this connection that the Chair put a specific question to satisfy itself how this involved more than the ordinary administration of the law. So, the hon. the Deputy Leader of the Opposition may explain this point instead of expressing his gratitude to the paper, which does not arise at all.

* DR. V. K. JOHN : I am only stating the facts about such an important paper, which have brought public discredit to the Government . . .

THE HON. SRI C. SUBRAMANIAM : The hon. Member may leave that aspect alone.

* DR. V. K. JOHN : I am interested in the credit of the Government. The Opposition is interested in good Government. I am stating the facts. The facts are that a minority of workers wanted to force a strike in 'The Hindu'. In spite of this strike, 'The Hindu' continued its publication. Then, the strikers used violence and intimidation and also injured the people inside the premises. But, the Police did not give protection which was required and people were injured. Their names were even published in the papers. In fact, 'The Hindu' published a pamphlet entitled 'Why the Hindu suspended publication?'. I do not think that any of the statements contained therein can be contradicted or will be contradicted by the Government. It shows violence was used, intimidation was used, people were imprisoned, so to say, and 'The Hindu' building became a fort which was beseiged. It was a very unsatisfactory state of affairs indeed. What was the result? On account of the violence and intimidation of a section of the workers, 'The Hindu' ceased publication. What did this Government do? I am not finding fault with the Police. The Police, after all, carry out the behests, orders and directions of the Government. We have certainly a Police Commissioner and an Inspector-General of Police who are very popular gentlemen. But, the Government did not give them the necessary directions. I can understand the Government saying that they will not break peaceful picketing. But, when the picketing was not peaceful, the Government did not afford any protection at all. This can be repeated in any other concern. That will happen. Everyday, we are witnessing strikes. There may be 10,000 people in a concern.

DEPUTY CHAIRMAN : I would like the hon. the Deputy Leader of the Opposition to come to the point and explain how the matter is urgent.

* DR. V. K. JOHN : Yes, Sir, if you will kindly give me one minute. I shall presently explain how the matter is urgent. It is urgent because this is a matter relating to the policy of the Government which the public do not approve, I do not approve and the Opposition here does not approve. I think the general public do not approve of this policy.

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THE HON. SRI R. VENKATARAMAN : Then the hon. Member can move a motion of censure.

* DR. V. K. JOHN : Sir, this happened in August and we are now meeting in the month of September for the first time after the incidents. There is another reason also why this is urgent. On the 6th of this month the Government have made a statement, a statement which no other civilised Government which has any respect for truth would make.

THE HON. SRI C. SUBRAMANIAM : I strongly protest against this statement, Sir. Even if he is the Deputy Leader of the Opposition, he has no business to cast aspersions on the statements made by the Government. We are prepared to stand by our statement. If the hon. the Deputy Leader of the Opposition can prove that it is untrue, then we are prepared to withdraw that statement. If he is not able to prove that it is not true, then what will he say?

* DR. V. K. JOHN : I would refer the Hon. the Minister for Finance to the Leader of 'The Hindu' of that date.

THE HON. SRI C. SUBRAMANIAM : That is not the last word on the subject. The hon. the Deputy Leader of the Opposition may have all respect for 'The Hindu'. Still, he should consider the fact that it is the statement made by a responsible Government, and to say that it is far from the truth is not becoming of the Deputy Leader of the Opposition. That is what I wish to say.

DR. A. SREENIVASAN : Then, why not take action against the Leader of 'The Hindu'?

* DR. V. K. JOHN. Let us not get excited over this. I find the Government are excited over this matter? I want to clear off their excitement. We had a Chief Minister here . . .

DEPUTY CHAIRMAN : Is it fair and parliamentary on the part of the hon. the Deputy Leader of the Opposition to charge the Government with uttering falsehood?

* DR. V. K. JOHN : I think I only said that they had made an incorrect statement. I don't think I have used the expression 'falsehood'. If I have used that expression, I withdraw it. I say that they have made an incorrect statement. Sir, a gentleman, whom we all respect, who was the Governor-General and who was also the Chief Minister of this State has stated . . .

THE HON. SRI C. SUBRAMANIAM : He was not an eye-witness. He has stated that from the information he got.

THE HON. SRI R. VENKATARAMAN : It was based on hearsay evidence.

DR. A. SREENIVASAN : I was myself an eye-witness to certain things.

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DEPUTY CHAIRMAN : This is not proper. The hon. Member is making a statement. He should not be interrupted like this.

* THE HON. SRI M. BHAKTAVATSALAM : I would like to know what exactly the hon. the Deputy Leader of the Opposition is quoting. A little while ago, he was referring to some statement issued by the Government. Is it before this House? He is now referring to some statement said to have been made by the ex-Governor-General. Is it right to quote such things on the floor of the House, Mr. Deputy Chairman?

* DR. V. K. JOHN : I find that the Members of the Treasury Benches are very excited over this matter. One after the other gets up and makes statements and thus does not give me the chance and opportunity to explain my point.

THE HON. SRI M. BHAKTAVATSALAM : The hon. the Deputy Leader of the Opposition cannot excite us.

* DR. V. K. JOHN : The Hon. the Leader of the House usually never gets excited. But, the other two friends sitting on his either side get excited and I am unable to explain my point. So, will you kindly allow me to explain my case, Sir? Well, that great man, whom all of us in India consider great and who is considered great all the world over, in referring to this strike, has used this language. ' In this case, it was going on without disapproval, if not with actual approval.' This is what he has stated. He has referred to the violence and intimidation of a section of the workers. I am not concerned so much with the management. If there are about 10,000 workers in a concern and if a hundred of them take it into their heads to strike work, resort to picketing, commit certain acts of violence and intimidation and interfere with the work of others, is it proper and can it be allowed by a Government? The duty of the Government is to preserve law and order and not merely to collect taxes. The Government have failed in their duty to preserve law and order so far as the incidents connected with the strike in ' The Hindu ' are concerned. Will it be repeated elsewhere? This is not a matter of administration. It is a matter of policy. Are we to understand that the Government will support people who picket like this although they are in a minority and although they prohibit other people and prevent other people, who want to go and work, in this fashion? Is it proper? We must lay down a policy. I say that the policy adopted by the Government in this matter has brought it contempt and it is for the Government to ascertain what public opinion in regard to this matter is. I say public opinion is unanimously against the Government in regard to the attitude they adopted in the case of ' The Hindu ' which was the direct cause for their suspending their publication. I, therefore, think that this policy of the Government should be discussed.

Sir, you were pleased to ask me how this was a matter of urgent public importance. We must be able to discuss this important subject when the Council is sitting. Yesterday, the Council began

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its sittings and I gave notice of this motion yesterday itself. Therefore, I say that it is a matter of urgent public importance. You may ask whether it is not a matter of day-to-day administration. Certainly not, Sir. This certainly involves more than the day-to-day administration as it involves the policy of the Government. In my opinion, the Government themselves should welcome a discussion on this subject. In fact, they must themselves come forward to see that leave for the motion is granted so that the Members of this House may have an opportunity to discuss this subject and the Government also may be in a position to reply to the several points that may be made by the Members. An opportunity for both sides may be provided to discuss the subject. 3-40 p.m.
Therefore, I submit that it does not come under any of the objections mentioned in the rules. So, Sir, you will be pleased to keep up the importance of this House and allow this adjournment motion to be discussed. That will also enable the Government to explain to the public their position. I am sure, if the Government object to this, they have no explanation to give. If the Government do not want a discussion, it means that they have no case. That ought not to be the position. If they have a clear and good case to present to the public, I do not see why they should object to a discussion. The people are agitated and the Government must have an opportunity to explain their position in this House so that the public may know the case of the Government. If they have no case, they will at least correct themselves. But I am afraid they do not want to explain their position and correct the impression in the minds of the public. Is it creditable to the Government to take up that position?

THE HON. SRI C. SUBRAMANIAM: That arises only when the Deputy Chairman gives his consent to the motion.

* DR. V. K. JOHN: He has given permission to the motion for leave.

THE HON. SRI C. SUBRAMANIAM: With great respect to the hon. the Deputy Leader of the Opposition, I submit that the Government do not come into the picture at all. It is for the Deputy Chairman to rule if the motion is in order or not. So, whether we are willing to have a discussion or not is quite irrelevant now. It is for the Presiding Officer to decide whether the motion is in order or not. What is the use of charging the Government that they are not prepared to face discussion? Or, is it the charge that the Deputy Chairman is siding with the Government and is taking a particular position? I hope that the hon. the Deputy Leader of the Opposition did not certainly mean that insinuation. In any case, as far as the Government are concerned, the reference is irrelevant at this stage.

* DR. V. K. JOHN: I am obliged to the Hon. Mr. Subramaniam for having explained the legal position. I quite see that it is for the Deputy Chairman to decide the issue.

THE HON. SRI C. SUBRAMANIAM: Then, why refer to irrelevant things?

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* DR. V. K. JOHN. Whether it is relevant or irrelevant is a matter of opinion. I am asking for leave for discussion. When I do so, I am suggesting to the Treasury Bench : 'Please support this motion . . .'

DR. A. SREENIVASAN : In your own interests.

* DR. V. K. JOHN : Yes. That is why I say : 'Do not oppose it'. I have found from the beginning—from the moment I got on my legs—there has been opposition throughout, strong opposition.

SRI K. BALASUBRAMANYA AYYAR : They are not in the picture !

* DR. V. K. JOHN : I do not see why there should be opposition. You must make the Leader of the House speak on it. You have for decide whether my motion is in order and give reasons if the motion is decided to be not in order. Ordinarily speaking, it is in order unless you give reasons to the contrary. I submit no reasons can be given for a decision against the motion. The Hon. the Leader of the House is anxious to protect the prestige of the Government and he must have an opportunity to explain the position of the Government. I would request him and the House to support my motion seeking leave of the House.

THE HON. SRI R. VENKATARAMAN : The Hon. the Minister for Home will speak.

* THE HON. SRI M. BHAKTAVATSALAM : Sir, you rightly ruled that this was a matter of public importance. But I would respectfully submit that it is not a matter of urgent importance. Further, it relates to a matter of normal administration. So, even under that rule, this will not come. What we have done relates to normal administration. Therefore, I submit that this is not a matter of urgent public importance.

But, Sir, I would certainly like to make a statement explaining the attitude of the Government, the conduct of the Government, and vindicating their position. If a statement is permitted, I would certainly make it and welcome a discussion on that. In fact, I welcome any discussion on this question. Or, if a short-notice question is put, I would certainly answer it and you may set apart any time for answering supplementary questions. But this is not a matter for an adjournment motion.

* DR. V. K. JOHN : If the Hon. Minister promise to make a statement and if there will be discussion allowed on that statement, I will withdraw my motion. If that undertaking is given, I will not press this motion.

DEPUTY CHAIRMAN : I am satisfied that the subject-matter of the motion does not involve more than the ordinary administration of law and order. Further, it lacks urgency in that

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the strike was called off, the workers were allowed to join work, the daily resumed publication and the matter has been happily closed long ago. I, therefore, rule the motion out of order.

* DR. V. K. JOHN : May I ask whether in view of this offer of the Hon. Minister to make a statement and allow discussion on it, a day may be fixed for the purpose?

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, our House has a reputation for observing the rules fairly well. The hon. the Deputy Leader of the Opposition knows that he can call for a statement from the Government under the rules. If he gives notice calling for a statement, he can have it.

SRI MOHAMED RAZA KHAN : In the course of discussion now, the offer was made by the Hon. the Minister for Home that he was prepared to make a statement.

THE HON. SRI R. VENKATARAMAN : That only means that if a statement is called for from the Government, the Government would make one.

SRI MOHAMED RAZA KHAN : There have been many occasions on which Government have themselves made such statements.

SRI S. T. ADITYAN : Is it difficult to make such a statement?

DEPUTY CHAIRMAN : I think we must observe rules.

SRI S. T. ADITYAN : Why not it be taken for granted that such a request has been made and why not the Minister proceed with the statement?

DR. V. K. JOHN : I think notice has already been given.

(2) BANNING OF PUBLIC MEETING ON 3RD JANUARY 1958 ON THE OCCASION OF THE VISIT OF THE PRIME MINISTER OF INDIA TO MADRAS.

DEPUTY CHAIRMAN : I have received notice of another motion under rule 42 of the Council Rules from Dr. V. K. John for the adjournment of the business of the Council to discuss a definite matter of urgent public importance, viz., the conduct of the State Government in banning a public meeting on 3rd January 1958 on the occasion of the visit of the Prime Minister of India to Madras, and in prosecuting Sri C. N. Annadurai and a few Members of the Legislative Assembly and Parliament and eventually remitting the sentences of imprisonment passed by the Second Presidency Magistrate on 3rd September 1958, thereby giving the impression to the public that the banning of the meeting, the prosecution and the conviction of the accused were wrong.

Before I proceed to rule the motion either in order or out of order, I wish to hear the Deputy Leader of the Opposition on the point as to how the matter involves more than the ordinary day-to day administration of law.

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* DR. V. K. JOHN : That you, Mr. Deputy Chairman, for giving me permission to speak on this motion and explain how it is in order. Now, this is as important as the matter we discussed a few minutes back. What happened is this. On the 3rd January 1958, the Prime Minister of India was in Madras. I take this opportunity to say that the Prime Minister's position ought to be respected. I am totally against any demonstration in our State against the Prime Minister when he visits the State. It was not a very courteous form of demonstration that was thought of. It should not have been attempted and it should not have been made against the Prime Minister. What happened? The Government banned the meeting at the Beach at which persons belonging particularly to the Dravida Munnetra Kazhagam were to speak. If the meeting was not banned, they would have addressed the meeting and everything would have been over. But instead of allowing it, the meeting was banned.

THE HON. SRI M. BHAKTAVATSALAM : This has been discussed in the House.

*DR. V. K. JOHN. It was said that the matter was *sub judice* and was not discussed. The Government committed the greatest blunder in banning the meeting. They realised it but they could not prevent the arrest and prosecution of eminent men—men respected in this State as much as any other man is respected—like Mr. C. N. Annadurai and other Members of the Assembly and the Parliament. They were arrested on a charge
3-50 a.m. of disobeying a Government Order. I am not in the least suggesting that when Government pass an order, it should be disobeyed by anybody. Whether an order is passed rightly or wrongly, no man should disobey the order of Government, however eminent his position is. That is why Government arrested and prosecuted these men.

THE HON. SRI C. SUBRAMANIAM : How is it relevant here?

* DR. V. K. JOHN : It is relevant in my opinion. What happened then? They were prosecuted and the Magistrate convicted them. The Magistrate imposed a fine of Rs. 25 on the 3rd of this month. The Government had bungled. They got discouraged and unhappy. They thought that what they did in the beginning was a blunder and so remitted the sentence. Will any Government remit the sentence? Why should they remit the fine?

THE HON. SRI C. SUBRAMANIAM : No, it was not remitted. Kindly read the order.

SRI K. BALASUBRAMANYA AYYAR : The sentence was amended.

* DR. V. K. JOHN : Imprisonment was remitted. Anyway, the order of the Magistrate was interfered with. The public should know why the order of the Magistrate was interfered with. Is it because the Government thought that the banning of the meeting

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on the 3rd January 1958 was a mistake and a blunder and that the prosecution was a mistake or that the conviction was a mistake? These things ought not to happen. Would the Government have remitted the sentence of improsinment if a poor man had been prosecuted for an offence and convicted by the Court? Because these important people were prosecuted and convicted, Government immediately remitted the sentence. I say it does not do much credit to the Government to make a distinction between man and man. They must certainly satisfy the public mind why they did it. I suggest that they did it because they realised that they had committed a blunder in banning that public meeting, in arresting and prosecuting the persons concerned and getting them convicted. Therefore, they remitted the sentence. This should not be repeated. If the Government feel that the banning of the public meeting was all right, that the arrest and prosecution of those people were all right and that the conviction was also all right, however eminent the persons might be, they should not remit a sentence of imprisonment. I am sure that the Government in their heart of hearts knew that it was not all right.

THE HON. SRI C. SUBRAMANIAM : I would request the hon. the Deputy Leader of the Opposition to speak to the point regarding the adjournment motion.

* DR. V. K. JOHN : I would request the Hon. the Finance Minister not to interrupt me whenever I speak.

THE HON. SRI C. SUBRAMANIAM : Whenever the hon. the Deputy Leader of the Opposition speaks, he should speak to the point. He knows what is relevant to the issue. Here you, Mr. Deputy Chairman, have asked him to show how this motion is in order. What we realise does not make it relevant for the purpose of the motion. Whatever might be our guilt or realisation, he should show how the motion is in order according to the rules of procedure. Instead of that, if the hon. the Deputy Leader of the Opposition goes on in the present strain, certainly we, who are interested in the proper observance of the rules of procedure of the House, should point out that he is going beyond the realm of relevancy.

* DR. V. K. JOHN : Let the Hon. the Finance Minister read the reports of my speeches in the proceedings of the House and point out where I had gone beyond the realm of relevancy so that I could read them. Why, after all, should he get very worried over the language used by me or get excited over the language I use? I use the language which I think is proper. It may or may not be strong. But I definitely object to interruptions in this House. I know certain Members of the Treasury Benches do not like me to use the language I use in criticising the Government. Unfortunately, I have done it, and I propose to do it hereafter, so long as I am a Member of this House. I would, therefore, request the Hon. the Finance Minister.

THE HON. SRI C. SUBRAMANIAM : The hon. the Deputy Leader of the Opposition is going beyond the scope of the rules.

* DR. V. K. JOHN : These interruptions are too many and because there are interruptions . . .

DR. A. SREENIVASAN : They are interrupting to break the continuity of thought . . .

* DR. V. K. JOHN : The hon. Member has explained the interruptions as intended to disturb the continuity of thought.

Now, let me explain how it is an urgent matter of public importance. The public are agitated over it, and it is a matter of public importance. I could not under the rules bring this up for discussion in this House because it was first *sub judice* and the sentence was remitted only on the 3rd. Therefore, the matter is important and urgent because every man in the street—everywhere the people collect, in the club, in the court—criticises the Government and says 'Look at the Government. They realised that a blunder had been committed and, therefore, they remitted the sentence'.

THE HON. SRI R. VENKATARAMAN : Birds of the same feather flock together.

DR. A. SREENIVASAN : இருக்கலாம்.

* DR. V. K. JOHN : I submit, Sir, that it is an urgent matter of public importance. There is also a policy involved. Therefore, I ask for leave of the House to make the motion.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, Sir, I must first point out the infirmity in the motion itself. The motion shall not include two matters. It shall confine itself to one matter only. The hon. the Deputy Leader of the Opposition has included two matters in the motion, one relating to the banning of the public meeting on the 3rd January and another relating to the remission of the sentence. Therefore, it offends the rules. (Interruption) I am a lawyer enough to answer the hon. the Deputy Leader of the Opposition Dr. John and I am sure he will appreciate my arguments. Therefore, this motion suffers by violation of rule 52 of the rules of procedure.

Secondly, the power of remission of sentence is a well-known power granted to Government under the Criminal Procedure Code and has been exercised by Governments times without number. Nobody, merely because he does not like the exercise of the power by the Government or merely because he has different views on the subject, can say that it is a matter for censuring the Government. The point here for consideration is whether the Government have done anything outside the ordinary course of administration. It is well within the powers of the Government to remit the sentence. What has been done in this case is not that

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the whole sentence has been remitted, as has been wrongly interpreted by the hon. the Deputy Leader of the Opposition but only that that portion of the sentence, namely, ' in default of payment of fine ' has been remitted and the fine will be recovered under the normal procedure of law. Therefore, the hon. the Deputy Leader of the Opposition will realise that there is no case for a motion to adjourn the business of the House to discuss the matter.

DEPUTY CHAIRMAN : I am satisfied that the matter does not involve more than the ordinary administration of law and that it relates to a mere exercise of the statutory powers conferred on the Government by section 401 of the Code of Criminal Procedure. I, therefore, rule the motion out of order.

DR. A. SREENIVASAN : Will the Hon. the Leader of the House agree to make a statement on this matter also provided notice is given according to rules just as was promised in the other case?

IV.—ANNOUNCEMENTS BY THE DEPUTY CHAIRMAN.

(1) PANEL OF VICE-CHAIRMEN.

DEPUTY CHAIRMAN : I have to announce to the House that, under rule 14 of the Madras Council Rules, I have nominated the following Members of the Council to be the panel of Vice-Chairmen for the Thirteenth Session of the Legislative Council under the Constitution :—

(1) Sri P. T. Rajan.

(2) Sri T. P. Srinivasavaradan.

(3) Sri V. M. Surendram.

(4) Srimathi Saraswathy Pandurangam.

(2) MESSAGES FROM THE ASSEMBLY.

DEPUTY CHAIRMAN : I have to announce to the House that I have received the following messages, dated the 3rd and 5th September 1958, from the Hon. Speaker, Madras Legislative Assembly :—

(1) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958), as passed by the Assembly on the 3rd September 1958 and signed by me, for the concurrence of the Council.

(2) In accordance with rule 114 of the Madras Assembly Rules, I transmit a copy of the Madras Children (Amendment) Bill, 1958 (L.A. Bill No. 10 of 1958), as passed by the Assembly on the 5th September 1958, and signed by me, for the concurrence of the Council.

(3) NOMINATION OF MEMBERS TO THE BUSINESS ADVISORY COMMITTEE, THE COMMITTEE ON GOVERNMENT ASSURANCES AND THE HOUSE COMMITTEE.

DEPUTY CHAIRMAN : I have to announce to the House that I have nominated under rule 164 (4) of the Council Rules, the Hon. Sri R. Venkataraman, Dr. A. Lakshmanaswami Mudaliar and Sri A. Gajapathy Nayagar, M.L.C's, as members of the Business Advisory Committee for the financial year 1958–59 in the vacancies caused, consequent on the expiration of the term of membership of the Council of Sri R. Venkataraman, Dr. A. Lakshmanaswami Mudaliar and Sri T. M. Narayanaswamy Pillai with effect from 21st April 1958.

I have also to announce to the House that I have nominated Dr. A. Lakshmanaswami Mudaliar and Sri John Asirvatham, M.L.C.'s, as Members of the Committee on Government Assurances for the financial year 1958–59 in the vacancies caused, on the expiration of the term of membership of the Council of Dr. A. Lakshmanaswami Mudaliar and Sri S. N. Venugopal with effect from 21st April 1958.

Under rule 174 (1) of the Council Rules, I have nominated Dr. A. Lakshmanaswami Mudaliar to be the Chairman of the Committee on Government Assurances.

I have further to announce to the House that I have nominated Sri T. Muthukannappan, M.L.C., to be a Member of the House Committee for the financial year 1958–59 in the vacancy of Srimathi Mary C. Clubwala Jadhav, M.L.C., who has expressed her inability to serve on the House Committee.

(4) DECISION OF THE BUSINESS ADVISORY COMMITTEE.

DEPUTY CHAIRMAN : I have also to report to the House that at a meeting of the Business Advisory Committee held at 2-00 p.m. on 8th September 1958, the following programme of
4 p.m. business has been decided upon :—

9th September 1958, 3 p.m. to 5-30 p.m.	**1 The Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958).**
	2 The Madras Children (Amendment) Bill, 1958 (L.A. Bill No. 10 of 1958).
10th September 1958, 3 p.m.	**1 The Madras Children (Amendment) Bill, 1958 (L.A. Bill No. 10 of 1958)—*cont.***
11th September 1958, 10 a.m.	**1 Election of Chairman.**
	2 Food Debate.

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12th September 1958, 3 p.m. to 6 p.m.	1 The Madras District Development Councils Bill, 1958. 2 The Madras City Municipal (Amendment) Bill, 1958. 3 The Madras District Municipalities (Amendment) Bill, 1958 (subject to the Bills being passed by the Assembly).
13th September 1958, 3 p.m. to 6 p m.	1 Presentation of the Supplementary Statement of Expenditure for 1958-59 and Demands for Grants for Excess Expenditure in 1955-56. 2 Non-official business.
14th September 1958 to 16th September 1958	Holidays.
17th September 1958 3. p.m.	General discussion on the Supplementary Statement of Expenditure for 1958-59 and Demands for Grants for Excess Expenditure in 1955-56.

Further programme will be decided by the Committee at 2-30 p.m. on 17th September 1958.

Now the Hon. the Minister for Food and Agriculture will make a statement on the general food situation in the Madras State.

V.—STATEMENT UNDER RULE 82 OF THE MADRAS COUNCIL RULES *RE* FOOD SITUATION IN THE MADRAS STATE.

THE HON. SRI M. BHAKTAVATSALAM: Mr. Deputy Chairman, Sir, I wish to make a statement under rule 82 of the Madras Legislative Council Rules on a matter of public importance, viz., the general food situation in the Madras State.

The State of Madras was slightly deficit in foodgrains at the time of the formation of Andhra in 1953. But subsequently, due to a series of favourable seasons, we are now self-sufficient. The production of foodgrains during the last two years is as follows :—

Year.	Rice.	Millets.	Total.
(1)	(2)	(3)	(4)
	LAKHS. TONS.	LAKHS. TONS	LAKHS. TONS.
1956–57	31·03	15·19	46·22
1957–58	31·34	15·24	46·56

Generally speaking, the latest south-west monsoon, although it was a bit delayed, has been satisfactory and the condition of the crops is on the whole fair in most parts of the State. There are

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some exceptions to this statement, because small areas like parts of Chingleput district and parts of South Arcot district experienced dry conditions and there was some damage to the standing crops, while in parts of Tanjore and Tirunelveli, there were some pest attacks which also resulted in some losses. But, by and large, the condition of the crops is satisfactory so far.

In July 1957, the Government of India promulgated the Zonal Movement Order by which foodgrains could not move outside the Southern Zone. The Southern Zone comprises the States of Madras, Kerala, Mysore and Andhra. This Government all along maintained that the Madras State by itself should be constituted into a zone, so that we might not be affected by the fluctuations in the food situation in the adjoining States, but the Government of India were not agreeable to these suggestions. Their view is that in the Southern Zone, Madras and Mysore are fairly self-sufficient while Kerala is highly deficit and Andhra has a good surplus of 5 or 6 lakhs tons. So, the view of the Government of India is that the Southern Zone as a whole would be almost self-sufficient in good years and that the free flow of foodgrains need not be interfered with.

Ever since 1954–55 there has been a steady decline in the inflow of rice from the Andhra Pradesh to Madras. From 91,542 tons in 1954–55 it was 19,070 tons in 1957–58. The position during April to July 1958 was slightly better. On the other hand, since 1955–56 there has been a steady movement of rice from Madras to Kerala at about 2 to 2½ lakhs of tons per year.

It is generally assumed that the average consumption of foodgrains per adult per day should be 16 ounces. On this basis, our production of 46 lakhs tons is just sufficient to ensure the supply of the full requirements of consumption at the 16 ounces level. However, it is likely that the actual consumption is considerably lower than 16 ounces. Some surveys made in the trends of consumption in recent years have shown that the consumption clearly is on a scale of 15.4 or 15.3 ounces and not 16 ounces. It is this consumption of 15.3 ounces which produced the small surplus of 2.5 lakhs tons which we are able to export to Kerala. The actual consumption during the rationing years was about 12.5 ounces per adult per day.

As regards prices, since the end of 1957 the price of II sort rice ruled round about Rs. 18·50 per maund in the various centres in this State. From about July there has been a rise to about Rs. 20 per maund. Compared to the prices in August 1957, the prices have risen on an average by Rs. 1·84 per maund in August 1958, which represents an increase of about 10 per cent.

The reason for this increase in price should be sought in the general upward trend in food prices in North India. Although the Southern Zone has been able to keep up a fairly high level of production, the northern States, particularly, the Uttar Pradesh, Bihar, West Bengal and Orissa have been subject to a drought and the production has substantially fallen there. The result has been

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a sharp increase in prices in those States. Although the formation of the Southern Zone is intended to insulate the Southern States against price fluctuations elsewhere, this can never be achieved completely in practice and if prices go up in the North, there will be a sympathetic upward trend in Madras too and this seems to be what has happened.

Taking the figures for Calcutta and Bihar, it is clear that the prices in those places have risen very steeply by about Rs. 3.50 to Rs. 4,00 per maund. With such a steep rise in one end of the country, it is only natural to expect some sort of an increase in the rest of the country. In Madras the increase has been about Rs. 1.84 per maund during the period May to August 1958 and still barring Coastal Andhra, Madras State has probably the lowest price level in India.

What are the likely trends of food prices during the next few months? Assuming that the North-East Monsoon is favourable, it can be expected that the price levels will not go substantially higher, but there is a likelihood of a small fall in prices when the Kuruvai comes in October. The position with regard to the supply of foodgrains to meet all the requirements of the people of this State is satisfactory. The price increase is only due to factors not connected with the supply of foodgrains and, therefore, it is not likely that there would be any large increase in the prices or any difficulty in securing supplies.

During the last food crisis in 1956, a large number of fair price shops were started, but after the main harvest in February last, most of the fair price shops were closed down in this State as it was considered that adequate foodgrains were available in the market. The Government of India were not agreeable to release any more foodgrains from their stocks but suggested that the State Government might themselves enter the market and procure the requisite foodgrains for distribution through the fair price shops. Since this State is just self-sufficient in rice, this Government considered that it would be inadvisable to enter the market as there was likely to be a sharp increase in the general prices, if the Government became a purchaser. The fair price shops are, however, now being run for supply of wheat alone. The number of fair price shops now functioning in this State is 470 and a quantity of 18,740 tons of wheat have been issued by the Regional Director of Food for supply through the fair price shops till the middle of August last. The organization has been kept going so that it may be useful in case the price position deteriorates any further.

To sum up—

(1) the supply position of foodgrains is quite satisfactory, as the crops were good last year and also so far this year;

(2) the increase in prices is due to the abnormal increase in prices of foodgrains in Uttar Pradesh, Bihar and West Bengal. The price has gone up there by about Rs. 4 to Rs. 5 a maund and

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in sympathy our prices have increased by about Rs. 1·84, but still the price level in Madras is the second lowest among all the States in India; and

(3) the fair price organization is kept intact on a small scale to meet any emergency.

VI.—GOVERNMENT MOTIONS.

(1) ELECTION OF TWO MEMBERS TO THE COMMITTEE OF PRIVILEGES.

4-10 p.m.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, I move—

" That, with reference to rule 154 (3) of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. the Chairman to elect two members to be Members of the Committee of Privileges for the financial year 1958–59 in the casual vacancies caused on the expiration of the term of membership of the Council of Sri R. Venkataraman and Dr. A. Lakshmanaswami Mudaliar ".

DEPUTY CHAIRMAN : The question is—

" That, with reference to rule 154 (3) of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. the Chairman to elect two members to be Members of the Committee of Privileges for the financial year 1958–59 in the casual vacancies caused on the expiration of the term of membership of the Council of Sri R. Venkataraman and Dr. A. Lakshmanaswami Mudaliar ".

The motion was put and carried.

DEPUTY CHAIRMAN : I have to inform the House that in accordance with the regulations framed for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. on Wednesday, the 10th September 1958, as the time within which nomination of candidates for the election of two Members to the Committee of Privileges should reach the Secretary. There will be an election if the number of candidates nominated exceeds two. The date and the time of the election would be intimated later on.

(2) NOMINATION OF ONE MEMBER TO THE COMMITTEE ON ESTIMATES.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, I move—

" That this House nominates the following one Member to associate with the Committee on Estimates of the Legislative Assembly for the financial year 1958–59 in the casual vacancy caused on the expiration of the term of membership of the Council of Sri A. Gajapathy Nayagar :—

Sri A. Gajapathy Nayagar ".

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DEPUTY CHAIRMAN : The question is—

" That this House nominates the following one Member to associate with the Committee on Estimates of the Legislative Assembly for the financial year 1958–59 in the casual vacancy caused on the expiration of the term of membership of the Council of Sri A. Gajapathy Nayagar :—

Sri A. Gajapathy Nayagar ".

The motion was put and carried.

(3) NOMINATION OF TWO MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, I move—

" That this House nominates the following two Members to associate with the Committee on Public Accounts of the Legislative Assembly for the financial year 1958–59 in the casual vacancies caused on the expiration of the term of membership of the Council of Sri R Venkataraman and Dr. A. Lakshmanaswami Mudaliar.

Sri R. Venkataraman and Dr. A. Lakshmanaswami Mudaliar ".

DEPUTY CHAIRMAN : The question is—

" That this House nominates the following two Members to associate with the Committee on Public Accounts of the Legislative Assembly for the financial year 1958–59 in the casual vacancies caused on the expiration of the term of membership of the Council of Sri R. Venkataraman and Dr. A. Lakshmanaswami Mudaliar :—

Sri R. Venkataraman and Dr. A. Lakshmanaswami Mudaliar ".

The motion was put and carried.

VII.—GOVERNMENT BILL.

THE MADRAS CITY IMPROVEMENT TRUST (AMENDMENT) BILL, 1958 (L.A. BILL NO. 20 OF 1958).

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, I move—

" That the Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958), as passed by the Legislative Assembly, be taken into consideration.'

In the City of Madras, slum improvement schemes are undertaken by the Corporation of Madras and the Madras City Improvement Trust Board. Slum improvement schemes undertaken by that Board have to be sanctioned under the Madras City Improvement Trust Act, 1950 (Madras Act XXXVII of 1950). Under sections 47 to 57 in Chapter III of the Act, every slum improvement scheme to be undertaken by the City Improvement Trust

* Printed as Appendix on page 61 infra.

has to be published, like any other schemes of the Trust Board, in the *Fort St. George Gazette*, eliciting objections, if any, to the proposed acquisition of lands and to the proposed improvement of the slum, and individual notices also have to be served on the occupiers. Further, the Corporation of Madras should also be consulted before implementing the scheme. The observance of these formalities takes a minimum of three months.

. Both the Central and State Governments attach great importance to the speedy implementation of slum improvement schemes. A sum of Rs. 168 lakhs has been allocated to this State for slum improvement works during the Second Five-Year Plan period. The State Government are anxious to utilise the Plan provision of Rs. 168 lakhs fully. As the observance of the formalities laid down in Chapter III of the Madras City Improvement Trust Act, 1950, results in undue delay in the execution of slum improvement schemes by the City Improvement Trust, it is proposed to amend that Act by inserting new section 69-A, empowering the Government to exempt, by notification, subject to such conditions and restrictions as may be specified in such notification, any improvement scheme or class of improvement schemes to be formulated and executed by the City Improvement Trust, from all or any of the provisions of Chapter III of the Act.

I request that the Bill be taken into consideration.

SRI MOHAMED RAZA KHAN: On a point of clarification, Sir. You need not publish it in the *Fort St. George Gazette* and you can proceed with the acquisition?

THE HON. SRI R. VENKATARAMAN: Let the motion be placed before the House and afterwards I shall answer all questions.

DEPUTY CHAIRMAN: Motion moved—

"That the Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958), as passed by the Legislative Assembly, be taken into consideration".

SRI K. BALASUBRAMANYA AYYAR: Sir, on the face of it, it looks very attractive and all right, but I have to ask why these extraordinary powers of exemption are taken by the Government. There is already an Act, the name of which I forget, but the substance of it is "The Slum Clearance Act" which was passed, I think, in 1954 under which the Government can acquire a property, pay compensation at twelve times the rental and all that. Under the provisions of sections 47 to 51 of the Act of 1950, every scheme has to be published and individual notices have also to be served on the occupiers or individuals concerned enabling them to see whether their property rights are respected. They have, therefore, first to publish the scheme and invite objections from the owners of the lands proposed to be acquired. Whatever difficulties may be pointed out by the Corporation, may also be taken into consideration because the Corporation is vitally

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interested in the general plan of the City. All these things are mentioned in sections 47 to 51 of the Act of 1950. They are very useful provisions and the City Improvement Trust Board can finally draw up any proposal after hearing objections. We can very well imagine cases where the rights of other people are also trodden upon. Slum clearance is very important, I do agree, but we have to take into consideration the rights of other people also. The whole of Chapter III not only concerns itself with property rights of other people but also the various regulations for opening street latrines, etc., in respect of which the Corporation rules can be infringed. It has not been specified at all from what provisions of that Chapter exemption will have to be granted. The proposed provision states— 4-20 p.m.

'The Government may, by notification, exempt, subject to such conditions and restrictions as may be specified in such notification, any improvement scheme or class of improvement schemes from all or any of the provisions of this Chapter'.

It is not clear which chapter is referred to by the expression 'this Chapter'. I can understand if it is stated 'exempt . . from . . . the provisions of sections 47 to 51. There are other sections under which the ordinary rules as regards the layout and the width of the roads have to be complied with. Therefore, I cannot understand the Government taking a general power to exempt any class of improvement schemes from all or any of the provisions of Chapter III. They only make provision for publishing every slum improvement scheme in the Gazette, giving notice to the individuals concerned and consulting the Corporation of Madras before implementing the scheme. All these are necessary for the purpose of carrying out a slum improvement scheme properly. These provisions are not intended to delay the execution of slum improvement schemes. If notice is given, some time must be given to the parties concerned for filing objections. Then the Board must have some time to come to a decision on those representations. The Corporation has necessarily to be consulted because if an improvement is proposed to be made on a particular site, the general scheme of town-planning will be affected. Therefore, it is absolutely necessary to have those provisions. I am not suggesting that if the power of exemption is given to the Government, they will not follow the procedure. Only the proposed provision is very vague. I cannot understand the Government taking such a large power as to completely give the go-by to all or any of the provisions of Chapter III of the Act. I do not think that even the Second Five-Year Plan demands that they should clothe themselves with such extraordinary powers for the purpose of expediting the execution of these schemes. My humble opinion is that following the provisions of the City Improvement Trust Act will ensure the proper effectuation of the slum improvement schemes. I am afraid that the power sought to be taken might not serve any useful purpose. The Government are now anxious to provide that they need not give fourteen days' notice, and that they need not give a long time for filing of objections. Suppose they do not hear objections at all on the ground that the sections are no longer applicable. All these

difficulties are there. Therefore, I feel that the Government ought not to be clothed with such large powers. They may make any provisions in the rules for the purpose of restricting the time which they should give for the purpose of filing objections and for the purpose of deciding thereupon whether the particular scheme can be put through or not. It is not necessary that they should take power to exempt any scheme from all the provisions of Chapter III, because that chapter provides for many other things also.

*Dr. V. K. JOHN : Mr. Deputy Chairman, Sir, I quite appreciate the apprehension of my hon. and larned Friend who spoke before me that the Government might exercise their powers arbitrarily and that the interests of the people might be prejudiced. But with great respect to my learned Friend whose apprehension I very much appreciate and which I want the Government to bear in mind. I feel that there is another side to this question. The City Improvement Trust has been doing a wonderfully useful work. I know what work it has been doing. Captain Gnanaolivu is the Chairman and he is the best man for this job. The Trust has been doing very good work. Because they have been doing very well, the Government feel that this money should be utilised within the year for improving the slums and they want to introduce flexibility in the statute. Therefore, they want to take power to exempt any improvement scheme from all or any of the provisions of Chapter III. But the only suggestion that I would like to make to them is that it is better to elicit public opinion and that they take this power and make rules providing for protection of properties of persons affected by the steps that may be taken by the City Improvement Trust. At least two weeks' notice may be given to the parties concerned. I can understand the Government's fear that if all the procedures prescribed in the sections are followed and particularly the provision relating to consultation with the Corporation, which I am afraid is not now functioning well, the schemes may not be carried out at all. Therefore, they feel that some occasion might arise when they might have to exercise such a power of exemption. There must be flexibility in all rules. Every statute must have two characteristics, namely, certainty and flexibility. They are trying to introduce flexibility now. But after getting this Bill passed, they should not make it a general rule to grant exemption from the provisions of Chapter III. The general rule must be to adhere to these provisions and the exemption must be given in only exceptional cases. I hope that the Government will act carefully without prejudicing the interests of the persons concerned. Although I appreciate the strong opposition voiced forth by my hon. and learned Friend, at the same time, I feel that these objections must persuade the Government to exercise this power of exemption only in very rare cases and with great care.

Sri MOHAMED RAZA KHAN : Mr. Deputy Chairman, Sir, I do feel that the Leader of the House preoccupied as he is with so many things has not made out a clear case for the provisions of this Bill. If he has really made out a case that the Government of Madras are in right earnest in wanting to spend a sum of Rs. 168

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lakhs during the Second Five-Year Plan period, that they have got so many schemes in hand, that they are ready to be implemented and that most of these slums will be cleared in a year or two but that these provisions stand in the way because it takes a lot of time if these provisions were to be followed, namely, notification in the *Fort. St. George Gazette*, consultation with the Corporation of Madras, etc., then I would say surely, 'I welcome this Bill'. But knowing as we do that the machinery of the Government of Madras moves very slowly, I feel that there will be no occasion to resort to the provisions of this Bill at all and that this will remain a dead letter. I say this for this reason. Even as early as 1953 or 1954—my hon. Friend Sri K. Balasubramanya Ayyar will bear me out when I say this—the Slum Clearance Act was passed in all haste. But what has happened now? Unfortunately, we find in the City of Madras more slums now than there were in the year 1954. There is development in the growth of slums in Madras rather than clearance of slums. Lands which are owned by some persons are turned into slums overnight. Even in the City of Madras a great part of the lands has been conceded to the Port Trust and even on a little bit of land on the Marina a big slum has developed. Therefore, I feel that merely taking power under this Bill is not going to improve matters. But it is for the Leader of the House to come out with a definite policy and programme with regard to the clearance of slums in the City of Madras. I say—and many Members will agree with me—that it is a standing disgrace to the City of Madras that in this very City there are so many people living in unhygienic and horrible conditions. Therefore, I feel that the Government should have a definite policy and programme with regard to the clearance of slums. Merely mentioning that so much money has been allotted in the Second Five-Year Plan is not going to solve the problem.

The Deputy Leader of the Opposition Dr. John has paid some encomiums to the City Improvement Trust. I agree with him. However, the City Improvement Trust might have done something for the upper class or the lower middle class people, but nothing has been done for the poor people, as far as I understand. I want the Government to give us statistics as to how many slums have been cleared, how many of these poor people have been rehabilitated and how many houses or at least huts have been constructed for them. I am sure much has not been done. In fact, very little has been done in this regard.. Therefore, if the Hon. the Leader of the House gives us the assurance that the Government of Madras are really determined to spend this amount of . . . (Interruption by Sri K. Balasubramanya Ayyar). My hon. Friend Sri K. Balasubramanya Ayyar says that we have got about 43,000 pavement-dwellers. As usual, this is only a modest estimate. The figure must be much more in the City of Madras. Unless the Hon. Minister says, 'I have got a plan; I have got a scheme; I have got a programme, and I am going to spend this amount within a period of two years; I give you this assurance that Madras can feel proud that we have cleared the slums and have provided some ordinary dwelling to the pavement-dwellers', this legislation will only remain

4-30 p.m.

a dead letter. I can understand the anxiety of the Government to assume so much power. You will have the power no doubt, and the Bill also may be passed. But this legislation will remain a dead letter. If anything, far from clearing slums in Madras, slums will grow and there will be more and more slums springing up in Madras.

* SRI G. KRISHNAMOORTHY : Mr. Chairman, Sir, I heartily endorse the views expressed by my hon. Colleague Sri K. Balasubramanya Ayyar. It is true that there is a proposal to spend a very large amount within a limited period for slum clearance and slum improvement. But that is no reason why we should avoid the usual procedure. If really things have to be done quickly, there are other remedies like engaging extra staff in the offices concerned.

THE HON. SRI R. VENKATARAMAN : No, no. The point here is that the statutory requirement of time prescribed in Chapter III causes delay, and that is why it is sought to be amended.

* SRI G. KRISHNAMOORTHY : Then the proper course would be to reduce the period laid down by the statute rather than avoid the procedure wholly. As the hon. Member Sri K. Balasubramanya Ayyar pointed out, there might be many persons who are affected by this Bill.

Another point I would wish to impress upon the Hon. Minister piloting this Bill is this. So far as I understand, slum improvement means the improvement of sanitation, the supply of water, the improvement of roads, the building of houses on a higher level, and so on for those who already have some huts. But what about the pavement-dwellers? There may be 43,000 or a larger number of pavement-dwellers. Anyhow, we find that every month these pavement-dwellers are increasing in number. With the sky as their roof and the ground as their bed, they are pulling on even after eleven years of Swaraj. Is it not our duty to just attend to the needs of these people first rather than to those of the people who have got huts or the poorer middle classes? I would humbly request the Hon. Minister to enlighten me on whether slum improvement is to cover those people who have no huts, that is, to provide huts for those people who are living in pavements, or whether it aims at only providing better houses to those who have already got huts. If the pavement-dwellers are not to be provided for by this slum improvement scheme, I think some other urgent scheme, which may perhaps deserve relaxation of rules, will have to be brought in by the Government. So, I would request enlightenment from the Hon. Minister on what exactly the Government have done or what exactly their proposals are for the provision of houses for these pavement-dwellers who are leading a very pitiable life.

* DR. A. SREENIVASAN : Sir, you will be surprised to know that I oppose this Bill for only one reason. The very idea of the introduction of this Bill seems to be political. The idea is that only

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the number of heads is counted in elections conducted on the basis of adult franchise. The idea of the Party in power seems to be to pamper those people who have no houses, especially those people who live in cheris and slums. The Party in power should not be allowed to get away with the elections without any difficulty simply because they are entrenched in power to-day and have got control over the purse. That is the reason why I say that this Bill has got a political motive. I tell you another reason. In spite of the fact that they have been trying to improve the slums, the very fact that they are clearing the slums will multiply slums. Most of the people who have no business to be here put up a thatched shed or gunnies to protect themselves against the sun and the rain. We are only attracting people from the villages to improve their position by coming to towns. Those who have had contact with the villages will know that it is becoming more and more difficult, especially in the villages surrounding cities like Madurai and Madras, to get field labour. Therefore, the very idea of clearance of slums will have an indirect effect on farm labour in villages surrounding big cities. I honestly believe that the Party in power has got a political motive in bringing in this Bill before this House for the simple reason that adult franchise will really stand them in good stead if they pamper these slum-dwellers.

I say with considerable pain that I know that some of these slums are really horrid in nature. People who have no ostensible means of livelihood try to get a few cows or buffaloes and make the whole place stink like hell. The Corporation of Madras is afraid of interfering with these people, especially the sanitary authorities. I myself have invited the attention of the Health Officer of the Corporation to the existence of this state of affairs in some of the slums in the heart of the City. I was indirectly given to understand that they were not willing to interfere, because it was likely to hurt a large number of voters and, therefore, it would not be in the interest of either the Corporation or the Government or anybody to interfere with the slum-dwellers and their means of eking out their livelihood.

I think by improving slums, the Government are only increasing the influx of a large number of people to the City from the villages surrounding the City. The Government not only deprive the people in the villages of the farm labour but also make the position of people in the City very hot to live in. Therefore, I request Government to pay attention to this question. It is impossible to clean the Augean stables. Whatever may be the position of the Government or the Party in power, with all their resources, it is impossible to clear the slums in the various cities. It is much better to stop the influx of people to the City by making it difficult for them to live in rather than improve the slums. They do not serve any useful purpose. They are only casual labourers. Most of them are unskilled. Insanitation is due to themselves to a very great extent. Pilfering and theft are an inducement to some of them. I am talking with a full sense of responsibility. Let not the Hon.

the Leader of the House think that I am talking through my hat. In some of the cases that have come to our knowledge, we see that slum-dwellers have indulged in pilfuring. In the matter of cattle lifting and purchase of cattle and also offering them for sale, these slum-dwellers have been responsible.

DEPUTY CHAIRMAN : How can the hon. Member make it a general charge?

* DR. A. SREENIVASAN : I think it is not in the interests of the public to encourage this Bill at all. By clearing slums I mean doing away with the slums altogether and not making the slums attractive for people from the villages to come to the cities.

* SRI T. PURUSHOTHAM : Sir, I am sorry that the last speaker has dwelt on several matters unconnected with this Bill.

DR. V. K. JOHN : Don't feel too sorry.

* SRI T. PURUSHOTHAM : I am surprised that he should say that it is impossible to improve the slums.

DR. A. SREENIVASAN : You wait and see.

* SRI T. PURUSHOTHAM : It may be impossible, but that does not mean that we should not make a beginning. I am glad that the Government have realised this . . (Dr. A. Sreenivasan : In their own interest!) and allotted large amounts for the implementation of slum improvement schemes. I am also glad that the hon. the Deputy Leader of the Opposition has thought it fit to say that the rules governing the implementation of these schemes, should be flexible. I am glad he has realized that. He has said
4-40 p.m. that only in proper cases, this clause should be put into execution, I mean the exemption clause. I am sure that the Government will grant such exemptions only in deserving cases and that they will not do it in all cases. Even the hon. Member Mr. Balasubramanya Ayyar has conceded that there is need to put down delay, but he was only anxious that justice should be done to all concerned. The Government are anxious to utilize the Plan provision of Rs. 168 lakhs. I am sure that when this amount is spent on useful schemes during the Second Five-Year Plan period, all the objections raised by the hon. Member Sri Raza Khan would be met and to satisfy him and other Members of the House, I would request the Hon. the Leader of the House to tell us what schemes are proposed to be taken up for utilizing this sum of Rs. 168 lakhs so that we may have an idea of how far we would be able to meet the arguments advanced by the hon. Member Mr. Raza Khan and also by Dr. Sreenivasan. I am sure the schemes are already ready and are being put through not only by the Corporation of Madras but also by the City Improvement Trust. It is with regard to the City Improvement Trust that this Bill has been brought forward, because for all these schemes undertaken by the City Improvement Trust, the provisions of the City Improvement Trust Act will have to be applied and exemption is sought only with regard to these schemes. I am sure that the Leader of the House would give us some indication of the schemes of the City Improvement Trust coming

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under the Second Plan. Already, three years of the Second Plan are over and there is every necessity for the expeditious implementation of these schemes. With these few observations, I support the Bill.

* THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, I thank the hon. Members of this House for the general support that they have given to this Bill. It was pointed out by some of them that there might be scope for abuse for the large powers. In the first place, I wish to clarify that none of the property rights would be affected by this measure, i.e., granting exemptions under Chapter III of the Act. If the Government were to acquire property under the Land Acquisition Act or the City Improvement Trust Act, all the procedures laid down for giving notice, assessment, valuation of property, etc., will have to be followed. If you formulate a scheme for improvement, you have to observe certain formalities like giving of notice (1) to the people resident there and (2) to the Corporation of Madras, then the notification in the Gazette ond so on. Thus, before any scheme is adopted, a considerablbe time has to be spent on merely serving notices. After the scheme is published, if we can cut out the various notifications required and the time required, it will be possible for us to go ahead with the particular improvement schemes. The improvement scheme itself requires in certain cases that the width of the road shall be so much or that the building shall be of a certain character. It is not possible to observe these conditions with regard to the improvement of slums and that is the second reason why we have come forward for asking the legislature to give us powers to grant exemption.

As we contemplate now, we propose to allot somewhere about 800 square feet for each slum-dweller and the surplus population, after allotting the space in the slum, will have to be rehabilitated in another centre. We have several schemes. So far, we have spent Rs. 41 lakhs in respect of these improvement schemes, which at present rehabilitate the slum population in open plots. For the year 1958–59, we have a scheme for spending Rs. 60 lakhs, out of which Rs. 20 lakhs would be spent on building pucca tenements in North Madras for 500 slum-dwellers and building in the South Madras area pucca tenements for slum-dwellers to house as many as 900 families. Land is being acquired for this purpose and construction would be started soon. Apart from the sum of Rs. 40 lakhs proposed to be spent on these tenements, we propose also to spend Rs. 20 lakhs on open plot schemes, that is, to give the slum-dwellers open plots fully equipped and fully developed with sewage, water, lighting and so on. All these schemes require considerable amount of spade-work and so it has not come out very brightly in the picture of the Second Five-Year Plan development. Because, all this time, we have been engaged in spade-work. The results of the slum improvement schemes undertaken by the Madras Government would be apparent at the end of this year or early next fiancial year by which time many of the tenments and the development plots which we are going to give would have fructified.

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Actually, people would have moved out of the present slums. I agree that we should not only improve the slums but also prevent the growth of new slums. Here, if the Government are a little hard, I am quite sure that at least this House will show its sympathy to this Government in this respect. The Government have fixed a date and all sums started after the particular date in 1957 will be treated as unauthorized slums and cleared accordingly. All the slums that have come into existence after that date in 1957 will be cleared and the slum-dwellers in those areas will not be entitled to ask the Government for alternative accommodation.

Sir, in this connexion, I also wish to make it very clear to this House as well as the public that the Government will not sell these lands to the slum-dwellers for any reason whatsoever. There seems to be a misapprehension in the minds of some of the slum-dwellers that some time later, these lands will be sold to them, that, therefore, they must stick on to them and that if they go out of these lands, they will lose the right of purchasing those lands. That is why they are not prepared to move out of these lands. I may emphatically state on this occasion that the Government have no proposal whatsoever for selling any of these lands which they have allotted and taken up for slum improvement. The Government will, no doubt, improve the slum, provide the amenities and then only rent it out to them. The people who go out of these lands and settle in the new tenements will also be provided with all these amenities and they will also have very favourable rent and other conditions.

So far as the other criticism relating to the pavement-dwellers is concerned, it is said that they have not been looked after. I wish to inform the House that from a survey taken about them, we find that there are about 6,000 pavement-dwellers. We have now a scheme costing a sum of Rs. 1·5 lakhs for settling about 91 families at Tondiarpet. The scheme is in progress and we will take up similar schemes for rehabilitating these people. The reason why the pavement-dwellers do not get out of their present places is that they want to be very near the work-spots. Most of them are workers working in the Harbour, they are dock workers and the like, and they want to be very near their work-spot. It is not possible for any civilized Government to provide housing accommodation to the workers very near the work-spot. If anything, civilized Governments all over the world desire that the workers should reside as far away from their work-spot as possible. But, in striking contrast, we in this country find that the workers want to live very near the work-spot. One of the great impediments in the way of rapid improvement of slums is this.

4–50 p.m. Criticism was also levelled against the Slum Improvement Act lying dormant. We have come across a difficulty in the working of the Slum Improvement Act and that is why we have not been able to make full use of the provisions of the Act. The Act provides that the compensation payable to the slum-dweller, if he owns the hut, or to the owner of the property, shall be twelve times the rent paid. We have found that twelve times the rent is sometimes very

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much higher than the market value of the hutment itself. For example, if the monthly rental is five rupees for a hut, the annual rent comes to sixty rupees and if a man has lived in a hut for twelve years, the compensation becomes twelve times that annual rent which means Rs. 720. But the hutment would be worth only fifty or sixty rupees. Therefore, we have not been able to take full advantage of the Slum Improvement Act We are contemplating some amendment and if that is incorporated, we will be able to utilize the provisions of this Act fully. As it is, I thank the House for the general support it has given and I am sure that the Government will not lightly exercise the powers given to them and that they will always try to hear all possible objections to the schemes which they formulate before they take a final decision in the matter.

SRI MOHAMED RAZA KHAN : So, there is nothing political. (Laughter.)

DEPUTY CHAIRMAN : The question is—

"That the Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958), as passed by the Legislative Assembly, be taken into consideration."

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. SRI R. VENKATARAMAN : Sir, I move—

"That the Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958), as passed by the Legislative Assembly, be passed."

DEPUTY CHAIRMAN : Motion moved—

"That the Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958), as passed by the Legislative Assembly, be passed."

SRI V. V. RAMASWAMI : கனம் டிபுடி சேர்மன் அவர்களே, ஒவ்வொரு குடிசையிலும் இருக்கிறவர்களை அப்புறப்படுத்தும்போது, அவர்களில் ஒவ்வொருவருக்கும் ஒரு குறிப்பிட்ட சதுர அடி அளவு நிலத்தைக் கொடுத்துவிட்டு மிஞ்சியவர்களுக்கு மற்ற இடங்களில் இடம் கொடுத்து அனுப்பப்படும் என்று கனம் அமைச்சர் அவர்கள் குறிப்பிட்டார்கள். அப்படி அனுப்பப்படும்போது, தொழில்களை நடத்துகிறவர்கள் தங்களுடைய தொழில் நிலையங்களுக்குப் பக்கத்திலேயே இருந்தால், தங்களுடைய தொழிலை நடத்துவதற்கும் வாழ்க்கையை நடத்துவதற்கும் வசதியாக இருக்கும் என்று கருதுவார்கள். அதனால் வசிக்குமிடம் தங்களுடைய தொழிற்சாலைகளுக்குப் பக்கத்திலேயே இருக்கவேண்டும் என்று விரும்பலாம். அவர்களை வெகு தூரத்திற்கு அப்பால் அப்புறப்படுத்தும்படியான நிலை ஏற்பட்டால், அவர்களுடைய வாழ்க்கைக்கு இடையூறாக இருக்கலாம். இப்பொழுதுள்ள மசோதாப்படியும் இன்னும் அரசாங்கம் எடுத்துக்கொள்ளக் கூடிய நடவடிக்கைகளையும் பார்த்தால் கஷ்டமேற்படலாம். இப்படி அப்புறப்படுத்துகிறவர்களைத் தவிர மிஞ்சி இருக்கிறவர்களுக்கு, தங்களுடைய தொழில் நிலையங்களுக்கு அடிக்கடி வந்து போக ஏற்றவாறு ஏதாவது வசதி செய்து கொடுப்பார்களா என்பதை அரசாங்கத்தினிடமிருந்து அறிய விரும்புகிறேன்.

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SRI MOHAMED RAZA KHAN : While the Hon. Minister deserves congratulations on getting his Bill through, I am afraid he has not clarified one point. He said that such of the people as had developed the slums after 1957 would have no right to permanency. He did not, however, say anything about slums which came into existence before 1957. To give an example, a slum has developed in a very horrible manner just half a mile from here on the Beach itself. There have been a lot of objections voiced both in the Press and on the platform. Am I to understand that it will remain there on a permanent basis or will the Government see that the slum-dwellers there are removed to a better area? Unless we find some built-up area to provide alternative accommodation to them, we cannot do anything. I would like the Hon. Minister to clarify the position.

* THE HON. SRI R. VENKATARAMAN : If the hon. Member Mr. Raza Khan wants information about the slum in question—Kanniappanagar slum—I would like him to give notice of an interpellation on the subject so that I may gather all necessary material and furnish the information to him.

SRI MOHAMED RAZA KHAN : But you are going to the U.N.O.

* THE HON. SRI R. VENKATARAMAN : If the hon. Member wants to know the general policy of the Government, it is to clear the slums and to allow, in accordance with the 800 square feet rule, only such number of people as can live there to remain. The surplus population alone will be taken and rehabilitated elsewhere. But this does not apply to the Kanniappanagar slum. I do not want the hon. Member to get the impression that this slum will come under that scheme.

So far as the question of removing slum-dwellers to places far away from their present habitation is concerned, it is inevitable and cannot be helped. People have to choose between better living and walking a little distance. If we want to improve the slums, we have to compel the people to go a little out of the town and live in places which have been cleared and made habitable and sanitary for them. I hope the slum-dwellers will co-operate in this task of ours.

DEPUTY CHAIRMAN : The question is—

"That the Madras City Improvement Trust (Amendment) Bill, 1958 (L.A. Bill No. 20 of 1958), as passed by the Legislative Assembly, be passed."

The motion was put and carried and the Bill was passed.

DEPUTY CHAIRMAN : The House will now adjourn and meet again at 3 p.m. to-morrow.

The House then adjourned.

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VIII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 123. *Notification issued with G.O. Ms. No.* 2041, *Home, dated* 21*st July* 1958, *regarding the extension of rules and notifications issued under the Madras Prohibition Act,* 1937 (*Madras Act X of* 1937) *to Kanyakumari district and Shencottah taluk of Tirunelveli district.*

* 124. *Notification issued with G.O. Ms. No.* 2157, *Revenue, dated* 12*th June* 1958 *regarding settlement of estates taken over in Tiruppattur taluk, North Arcot district.*

* 125. *A short review of the activities of the office of the Registrar of Firms, Madras, for the first half of the calendar year* 1958 (*G.O. Ms. No.* 2873, *Industries, Labour and Co-operation, dated* 22*nd July* 1958).

* 126. *Notification issued with G.O. Ms. No.* 2768, *Food and Agriculture, dated* 9*th August* 1958, *regarding amendments to rule* 28 *of the Madras Commercial Crops Markets Rules* 1948 [*Laid on the table of the House under section* 18 (4) (*c*) *of the Madras Commercial Crops Markets Act,* 1933].

* 127. *Notification issued with G.O. Ms. No.* 2156, *Revenue, dated* 12*th June* 1958, *regarding the settlement of certain estates in Tanjore district.*

* 128. *Notification issued with G.O. Ms. No.* 1614, *Revenue, dated* 1*st May* 1958, *under section* 1 (4) *of the Madras Estates (Abolition and Conversion into Ryotwari) Act,* 1948, *regarding the appointment of the date* (29*th May* 1958) *on which date the provisions of the said Act shall come into force in the main estate of Nariyanendal in Ramanathapuram taluk, Ramanathapuram district.*

* 129. *Notification issued with G.O. Ms. No.* 2546, *Revenue, dated* 12*th July* 1958, *under section* 1 (4) *of the Madras Estates (Abolition and Conversion into Ryotwari) Act,* 1948, *regarding the appointment of the date* (7*th August* 1958) *on which the provisions of the said Act shall come into force in the inam estate of Thugankal in Sivaganga taluk, Ramanathapuram district.*

* 130. *Notification issued with Memorandum No.* 30079-*J*-3/58-5, *dated* 18*th June* 1958, *relating to the introduction of ryotwari settlement in certain estate villages in the Ramanathapuram and the Tanjore districts.*

† 131. *Notification issued with G.O. Ms. No.* 1120, *Local Administration, dated* 21*st July* 1958, *regarding amendment to the rules under the Madras Village Panchayats Act,* 1950, *relating to general establishment, appointment and punishment of officers and servants of panchayats.*

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† 132. *Report on the administration of the Survey and Land Records Department for the first six months of the financial year* 1957–58 (*April to September* 1957).

† 133. *Notification issued with G.O. Ms. No.* 308, *Industries, Labour and Co-operation, dated* 30*th January* 1958, *regarding amendment to the Minimum Wages (Madras) Rules*, 1953.

† 134. *Notification issued with G.O. No.* 1458, *Home, dated* 31*st May* 1958, *regarding amendment to the Madras Cinemas (Regulation) Rules*, 1957.

† 135. *Notification issued with G.O. Ms. No.* 2204, *Home, dated* 4*th August* 1958, *regarding amendment to the Madras Children Rules*, 1940, *relating to the admission of children above seven years of age in the Junior Certified School under the Gandhi Vidyalayam, Tiruchitrambalam.*

136. *Notification issued with G.O. Ms. No.* 2387, *Food and Agriculture, dated* 9*th July* 1958, *regarding amendments to the Madras Commercial Crops Markets Rules*, 1948 [*Laid on the table of the House under section* 18 (4) (*c*) *of the Madras Commercial Crops Markets Rules*, 1933].

137. *Notification issued with G.O. No.* 936, *Local Administration, dated* 1*st June* 1958, *notifying the appointment of Executive Officer in the Kaniyur Panchayat in the Coimbatore district.*

138. *Notification issued with G.O. Ms. No.* 4534, *Revenue, dated* 8*th December* 1957, *and G.O. No.* 1977, *Revenue, dated* 31*st May* 1958, *regarding amendments to the rules framed under the Madras Estates (Supplementary) Act*, 1956.

‡ *Bills passed by the Assembly and received therefrom in the Council—*

(*a*) *The Madras City Improvement Trust (Amendment) Bill*, 1958 (*L.A. Bill No.* 20 *of* 1958) (*as passed by the Assembly*).

(*b*) *The Madras Children (Amendment) Bill*, 1958 (*L.A. Bill No.* 10 *of* 1958) (*as passed by the Assembly*).

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* Sent by post to all Members of the Legislative Council on 3rd September 1958.
† Sent by post to all Members of the Legislative Council on 4th September 1958.
‡ Sent by special messengers on 5th September 1958.

Appendix.

[Vide item VII on page 47 supra.]

L.A. Bill No. 20 of 1958

(As passed by the Assembly.)

A Bill further to amend the Madras City Improvement Trust Act, 1950.

Whereas it is expedient further to amend the Madras City Improvement Trust Act, 1950 (Madras Act XXXVII of 1950), for the purpose hereinafter appearing;

Be it enacted in the Ninth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras City Improvement Trust (Amendment) Act, 1958.

2. *Insertion of new section 69-A in Madras Act XXXVII of* 1950.—After section 69 of the Madras City Improvement Trust Act, 1950 (Madras Act XXXVII of 1950), the following section shall be inserted in Chapter III of that Act, namely :—

" 69-A. *Power to exempt.*—The Government may, by notification exempt, subject to such conditions and restrictions as may be specified in such notification, any improvement scheme or class of improvement schemes from all or any of the provisions of this Chapter.".

MEMORANDUM REGARDING DELEGATED LEGISLATION.

New section 69-A proposed to be inserted by clause 2 of the Bill enables the State Government to specify the conditions and restrictions subject to which any improvement scheme or class of improvement schemes shall be exempted by notification from all or any of the provisions of Chapter III of the Act.

The power delegated is essential for carrying out the purpose of the measure and is normal in character.